

**REMARKS**

Applicants have cancelled all the claims previously presented and now have introduced new claims 47-71. It is believed these claims more clearly define and distinguish the present invention over the cited prior art. In particular, the present invention is directed to a system, method, or computer software program for use in controlling the operation of an interactive device in response to a stored personal profile and at least one aspect of the local environment. This was clearly set forth in independent claim 1. The present invention is directed to an interactive device designed to provide self-generating interaction with one or more users wherein the interactive device has information obtaining means for obtaining the identity of one or more users and for determining at least one aspect of the local environment in which the interactive device is located. In particular, this clearly sets forth that the device itself has obtaining means for obtaining the identity and at least one aspect of the local environment. This is not the same as entering information. It is the device itself that is obtaining the information independently of the user providing direct input as is normally done with a computer and PDA (personal digital assistant). The present invention, as set forth in independent claim 47, specifically sets forth that the computer provides instruction to the interactive device for controlling the operation thereof, in response to the stored personal profile of the one or more users, and at least one aspect of the local environment.

Claim 64 is a second independent claim and is directed again to controlling the actions of an interactive device within a local environment with respect to a specific user or users. Here again, with respect to claim 1, the interactive device obtains data with respect to specific user or users and the local environment. Here again, it is a device obtaining the data not being supplied by the operator. This claim again processes data with respect to the personal profile and the local environment so as to obtain instructions for providing continuous self-configuring operation of the interactive device. In particular, this allows the device to adapt and change to the local environment that is being presented to the user and the interactive device.

The Examiner, in the previous rejection, rejected the previously submitted claims under 35 USC § 112, second paragraph. It is believed that the

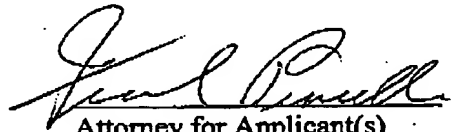
new claims submitted herewith overcome the objection previously set forth and accordingly it is respectfully submitted that this rejection is no longer applicable.

The Examiner rejected the previous claims submitted under 35 USC § 102(e) as being anticipated by Gershman et al. (US6,401,085). As Applicants have previously pointed out the Gershman et al. reference is simply directed to a system that facilitates web based information retrieval and display. The fact that the Gershman reference discloses that it can operate on different platforms is not relevant to the invention as is currently set forth. The interactive device, according to the present invention, is able to provide self-generating interaction based on information the device obtains independently. The Gershman reference is primarily directed to providing information on a PDA. A personal digital assistant is not the same as the interactive device according to the present invention. In the present invention, the interactive device is capable of providing self-generating interaction based on the information the device itself obtains. This is not taught or suggested by Gershman. In fact, Gershman is directed to providing information that is typically inputted by the user. The present invention, based on this independently obtained information, and the personal profile, provides and controls the operation of the interactive device with the user. Further, as set forth in independent claim 47, the device obtains information for determining the identity of the one or more users. This is clearly not taught or suggested in the Gershman reference. Thus, the present invention not only provides automatic obtaining of information necessary to operate the device, it also provides the appropriate output for interaction with the one or more users. Applicants respectfully submit that this is not taught or suggested by Gershman. The present invention also allows it to change in a dynamically changing environment. Thus, the present invention has means for determining one or more users and also the local environment is easily able to change in response thereto. Again, this is not taught or suggested by the prior art.

Further, as set forth in some of the dependent claims, there are features not taught or suggested. For example, in claim 51, the interactive device includes interaction with a second device and obtaining information therewith. Claim 58, which is dependent upon claim 51, includes the ability that the interactive device is able to construct and/or adjust the personal profile.

In view of the foregoing, Applicants respectfully submit that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



Attorney for Applicant(s)  
Registration No. 27,370

Frank Pincelli/phw  
Rochester, NY 14650  
Telephone: 585-588-2768  
Facsimile: 585-477-4646